THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.23315 OF 2005

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Between:

A.Joel Babu . . .Petitioner

And

The Govt. of A.P. and others . . .Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.23315 OF 2005

O R D E R:

The petitioners claim that they have been initially appointed in the fourth respondent institution as Secondary Grade Teachers on 22-11-1996 and 01-06-1997 respectively and that they have been working against aided vacancies in the fourth respondent institution. It is also stated that on 23-06-2003, the present Correspondent of the fourth respondent institution ratified the appointments of the petitioners. They contend that even after such an action, their appointments have not been regularized and that they have not been extended the benefit of the same.

Heard the learned counsel for the petitioners and the learned Government Pleader for School Education.

The fourth respondent institution is admitted to grant-in-aid. Any vacancy, which is admitted to grant-in-aid, has to be filled by obtaining permission from the competent authority and through a process of selection. Even after such selection, appointment needs to be approved. It is only then that the incumbent can be said to have been regularly appointed and would be entitled to be paid the regular salary.

In the instant case, no orders granting prior permission or subsequent approval, for the appointments of the petitioners, are placed before this Court. It is only the fourth respondent, who has appointed the petitioners and subsequently, ratified the same. At no point of time, the permission or approval of respondents 1 to 3 was obtained. In that view of the matter, the petitioners cannot be granted any relief in this writ petition. If the fourth respondent has appointed the petitioners to any particular post, they have to pay the salary

attached to that post. In the event of any default, the petitioners have to work out their remedies by approaching the appropriate forum.

Hence, the writ petition is disposed of leaving it open to the petitioners to workout their remedies in the matter of payment of salary attached to the post. However, it shall be open to the fourth respondent to pursue the matter with respondents 1 to 3 in the matter of appointment of the petitioners to any aided posts in accordance with the relevant rules. There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

28th OCTOBER, 2005.

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